

EXHIBIT J

Preliminary Notice of Disciplinary Action (31-A)
Civil Service Commission - State of New Jersey

Instructions for employer: This notice must be served on a permanent employee or an employee serving a working test period in the career service against whom one of the following types of disciplinary action is contemplated: (a) suspension or fine for more than five working days at any one time; (b) suspension or fine for five working days or less where the aggregate number of days suspended or fined in any one calendar year is 15 working days or more; (c) the last suspension or fine where an employee receives more than three suspensions or fines of five working days or less in a calendar year; (d) disciplinary demotion from a title in which the employee has permanent status or received a regular appointment; (e) removal; or (f) resignation not in good standing. A copy of this notice must be sent to the Civil Service Commission. Subsequent to the hearing by the appointing authority, the employee and the Civil Service Commission must be served with the Final Notice of Disciplinary Action.

FROM:	Employing Agency Name City of Bayonne	Address/Phone Number 620 Avenue C, Bayonne, NJ 07002	Date 2/18/2011
	Attorney representing your agency should this matter be appealed Anthony V. D'Elia, Esq. c/o Chasan Leyner & Lamparello, PC	Address/Phone number/Email address 300 Harmon Meadow Blvd., Secaucus, NJ 07094	
TO:	Employee Name Stacie Percella	Permanent Civil Service Title Deputy Registrar/Principal Clerk Typist	Social Security Number 145-60-4047
	Address/Phone Number 25 West 40th Street, Bayonne, NJ 07002		

You are hereby notified that the following charge(s) have been made against you: *(If necessary, use additional sheets and attach)*

Charges:

N.J.A.C. 4A:2-2.3

Incident(s) giving rise to the charge(s) and the date(s) on which it/they occurred:

See attached.

☐ If checked, charges are continued on attached page.

☒ If checked, incidents are continued on attached page.

☐ You are hereby suspended effective _____

(Check box to indicate if employee is suspended pending final disposition of the matter)

If you desire a departmental hearing before the appointing authority on the above charge(s), notify it within ten (10) _____ days of receipt of this form. If you request a hearing it will be held on _____ To be determined at (time) _____ at (place of hearing) _____

**Must be a minimum of five days*

The following disciplinary action may be taken against you:

- ☒ Suspension for _____ working days, beginning _____ and ending _____ to be determined
- ☐ Indefinite suspension pending criminal charges effective (date) _____
- ☒ Removal, effective (date) _____ to be determined
- ☐ Demotion to position of _____ effective (date) _____
- ☐ Resignation not in good standing, effective (date) _____ ☒ Other Disciplinary Action
- ☐ Fine _____ amount which is equal to _____ number (number of working days)

Appointing authority or authorized agent's signature and title.

Signature _____

Title _____

Business Administrator

This form must be personally served on the employee or sent by certified or registered mail.

☐ Certified or Registered Mail

☐ Receipt Number _____

☒ Signature of Server _____

☒ Date of personal service _____

3/2/2011

INCIDENTS GIVING RISE TO CHARGES

Without authority or authorization, Stacie Percella obtained confidential personnel information relating to Vanessa Bryant and Michael McKittrick relating to sick, personal and vacation days; much of which constituted confidential documents and records which could have only been obtained from the employee's personnel files.

CD
Jason O'Donnell
Director of Municipal Services

June 25, 2010

To Mr. Jason O'Donnell,

I would like to have it in writing that I have been working in a hostile workplace for the past several months now. You and I have had many discussions regarding how I am being treated by my co-worker, Stacie Percella. She has verbally attacked me with profanity on numerous occasions. For example:

Calling me an asshole.

Calling me a stupid bastard.

Telling me that she was not frank Romano and she was not going to back down.

I have told you that I took this statement as a threat and made me feel like I have to look over my shoulder to make sure that Stacie was not going to attack me from behind. Stacie also had told me to drop dead.

Jason, you told me that Stacie was going to be transferred out of the division of health. These negative verbal comments make it very difficult to work with her. In addition, she has declined to do the work that is required of a Deputy Registrar. For example:

Stacie declined to do a birth certificate while I was assisting a funeral director.

When I was on lunch a lady came in for a birth certificate and Stacie told her she had to wait until I came back from lunch.

A funeral director came in for death certificates and Stacie told them that I did not make the copies, and that they had to come back.

Stacie declines to answer the vital statistics phone if I am not in the office.

I had a funeral director call while I was on jury duty to ask was there anyone answering the phone in the Health Department.

Stacie is now declining to make the daily deposits.

Due to her actions, her verbal abuse and her declining to do her job. I am asking that she is removed from her title of Deputy Registrar and permanently removed from the office.

In the past, you and I have spoken about this hostile environment and you agreed that she should be removed from the department. It is very uncomfortable to come into work everyday to be harassed, so I am asking you to be true to your word and have Stacie transferred out of the Division of Health department.

Thank you,


Michael D. McKittrick
Registrar

c.c.

Honorable Mayor Mark Smith
Law Department Donna Russo
Union President Scott Corrigan

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LAW DEPARTMENT
BANKING NEW JERSEY
2010 JUN 25 P 1:45

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